



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, SECOND SESSION

Vol. 150

WASHINGTON, TUESDAY, SEPTEMBER 21, 2004

No. 114

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. HENSARLING).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 21, 2004.

I hereby appoint the Honorable JEB HENSARLING to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. DELAY).

TEN YEARS

Mr. DELAY. Mr. Speaker, this week the Republican congressional majority will celebrate the 10th anniversary of the legislative agenda that helped win our majority in the 1994 elections. There will be both praise and criticism of our tenure in the majority, though on the whole, the record shows the benefits our stewardship has brought the Nation in the last decade.

In the last decade, welfare has been reformed, taxes have been cut four times, Medicare has been secured and our health care system strengthened,

our military has been restored to its rightful place atop our national agenda, the budget came into balance, public schools have been called to account for decades of underachievement, and our economy has grown 69 percent.

It was doubted so much could be accomplished in 20 years, let alone 10. But while many will seek to argue over our accomplishments of the last decade, the responsibility of those of us in the majority is to focus on the next decade. If the last 10 years have shown the American people that Republicans can govern, the next 10 years must show them that Republicans should govern. So, rather than looking back on an old agenda, we must look forward to a new one, of equal principle and utility, an agenda not just of words but deeds, to protect and defend the security, prosperity and families of the United States.

An agenda not just of tax relief but of fundamental, national tax reform. Not just of preserving our health care and retirement systems for the greatest generation, but of fundamentally rethinking those systems for all generations. Not just of helping small businesses succeed, but of passing sweeping lawsuit abuse reform and universal regulatory reform to get predatory lawyers and busybody bureaucrats off small businesses' backs once and for all. Not just of bandaging over the social wounds inflicted by a culture of death, but of taking up the cause of America's armies of compassion and our Nation's emerging culture of life. Not just of defending our Nation, but of proudly fighting for it, and the ideals upon which it was founded, anywhere and everywhere they are threatened.

It has been a good 10 years, Mr. Speaker. But the celebrations this week do not mark an end, but a new beginning, and a new era of ever more ambitious and worthy ideas, so that we may leave our Nation better than we found it.

That is the purpose of this institution, the goal of this Republican majority, and the driving force behind our agenda for the next 10 years.

SECURING THE NATION'S BORDERS

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from California (Mr. DREIER) is recognized during morning hour debates for 5 minutes.

Mr. DREIER. Mr. Speaker, since the 9/11 Commission's final report was issued, we in this body have been working diligently to prepare legislation to improve our Nation's security. To that end, I want to talk about a paramount national security concern, and that is the security of our borders. I know many of us have seen this recent Time Magazine cover story which focused on the incredibly porous southern border that we have with Mexico.

I personally was absolutely horrified when I read this article, Mr. Speaker, on reports of human rights abuses perpetrated by "coyotes" who charge exorbitant fees to lead immigrants illegally across the border, as well as Time's accounts of the heinous acts committed by some of those illegals. And clearly, having a border which people feel they can cross illegally at any time is a national security vulnerability.

We must recognize that the vast majority of people who are coming across our borders illegally are looking for better economic opportunity for themselves and their families. This does not justify illegal entry into the United States. So let me make it very clear, Mr. Speaker, "illegal" means "illegal." But it does mean that a long-term solution to our immigration problem will only be found when the economies of Mexico and the rest of Latin America provide better opportunities for their

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H7247

citizens. But the process of improving those economies, while underway, will be very, very difficult, it will take decades, and we obviously are hoping to implement the Ronald Reagan vision of a Free Trade Area of the Americas which will be very important to that.

As altruistic as Americans have historically been toward immigrants, we are, after all, a Nation of immigrants as we all know, we clearly cannot have foreigners illegally crossing the United States borders unbeknownst to our government. We know that international terrorists have illegally entered our country. That is why we must act now.

In this effort, I have been working closely with two great Americans. Those of you who read this Time Magazine article may recall the comments made by T.J. Bonner, a 26-year veteran still working as a border patrol agent, who is president of the National Border Patrol Council, which represents 10,000 border patrol employees. Bonner's first priority is to ensure that our border patrol agents have the backing they need to do their job. It is his plan, the Bonner plan, which I am introducing as legislation today.

I am joined by my good friend and Democratic colleague, the gentleman from Texas (Mr. REYES), who himself served as chief of the border patrol in both McAllen and El Paso, Texas, during a long and distinguished career fighting to protect our border from infiltration. I am extremely pleased to have the support of Messrs. Bonner and Reyes, for their expertise in border patrol issues is unparalleled. Our legislation gets at the root of the problem of illegal immigration, the draw of our strong economy.

We know why most people illegally cross our borders, as I was saying earlier. Jobs lure them to this country. They are seeking economic opportunity. We do not want to shut the door on that great American dream of opportunity, which is why we have programs where foreign nationals can legally migrate to the United States, can work and can eventually become citizens. But people who skirt the process and enter the United States illegally should not expect to benefit from the American taxpayer.

Under the Bonner plan, we will strenuously enforce laws which prohibit American businesses from employing illegal immigrants. Regrettably, these laws have not been regularly enforced. The laws are also undermined by the explosion in counterfeit identity documents and employers who are unable or unwilling to establish the authenticity of documents presented by job applicants.

Under our legislation, Mr. Speaker, we will dramatically improve the security of the very precious Social Security card by adding a photo ID and other countermeasures to reduce fraud. This same card will be encoded with a unique electronic algorithm to allow employers to verify each prospective

applicant's work eligibility status prior to hiring, either through an electronic card reader or a toll-free number. Mr. Speaker, employers will face stiff Federal fines of up to \$50,000 and up to 5 years in jail if they knowingly hire an illegal immigrant or choose not to verify a prospective employee's eligibility. The employer would also then be responsible for the cost of deporting the illegal immigrant. With the new and improved Social Security card and verification system, employers will have no excuse if they are found to have hired illegal immigrants.

By eliminating the supply of jobs for illegal workers, we will end the incentive for illegal immigrants to enter the United States because they know that they will be unable to make a living here.

I fully recognize that a number of American industries, from agriculture to gardening and house cleaning and others, have come to depend on an ample supply of illegal workers. That is why I have long supported efforts to establish a responsible guest worker program to allow willing employers to match up with willing foreign workers and to allow those workers to legally enter the United States temporarily to work and then ensure that they return to their homes as scheduled. Coupled with a guest worker program, the Bonner plan will have a positive impact on our economy and on our prospective workers. Workers will only need to update their Social Security card once, to have their photo placed on the card and for other long overdue antifraud measures to be applied. A worker would only need the updated Social Security card when applying for a new job. I want to make it very clear that this is not a national ID card. This is not a national ID card, Mr. Speaker. In fact, the legislation contains language to ensure that the improved Social Security card does not become a national ID card and is only used to verify a prospective employee's authorization to work in the United States. Social Security cards are already routinely required to be provided to new employers. The changes we are proposing to the Social Security card take us no further down the road of creating a national ID card.

Mr. Speaker, I encourage my colleagues to join in supporting this very important effort that will, as Governor Schwarzenegger has said, encourage the American people and those who are looking to come in to play by the rules. This is a top national security priority for us. I hope all of our colleagues will join with us.

[From Time Magazine, Sept. 20, 2004]

WHO LEFT THE DOOR OPEN?

(By Donald L. Barlett and James B. Steele)

The next time you pass through an airport and have to produce a photo ID to establish who you are and then must remove your shoes, take off your belt, empty your pockets, prove your laptop is not an explosive device and send your briefcase or purse through a machine to determine whether it

holds weapons, think about this: In a single day, more than 4,000 illegal aliens will walk across the busiest unlawful gateway into the U.S., the 375-mile border between Arizona and Mexico. No searches for weapons. No shoe removal. No photo-ID checks. Before long, many will obtain phony identification papers, including bogus Social Security numbers, to conceal their true identities and mask their unlawful presence.

The influx is so great, the invaders seemingly trip over one another as they walk through the old copper-mining town turned artist colony of Bisbee (pop. 6,000), five miles from the border. Having eluded the U.S. border patrol, they arrive in small groups of three or four, larger contingents of more than a dozen and sometimes packs of a hundred. Worried citizens who spot them keep the Bisbee police officers and Cochise County sheriffs deputies busy tracking down all the trespassing aliens. At night as many as 100 will take over a vacant house. Some crowd into motel rooms, even storage-compartment rental units. During the day, they congregate on school playgrounds, roam through backyards and pass in and out of apartment buildings. Some assemble at the Burger King, waiting for their assigned drivers to appear. Sometimes stolen cars are waiting for them, keys on the floor. But most continue walking to designated pickup points beyond Bisbee, where they will ride in thousands of stolen vehicles, often with the seats ripped out to accommodate more human cargo, on the next leg of their journey to big cities and small towns from California to North Carolina.

The U.S.'s borders, rather than becoming more secure since 9/11, have grown even more porous. And the trend has accelerated in the past year. It's fair to estimate, based on a TIME investigation, that the number of illegal aliens flooding into the U.S. this year will total 3 million—enough to fill 22,000 Boeing 737-700 airliners, or 60 flights every day for a year. It will be the largest wave since 2001 and roughly triple the number of immigrants who will come to the U.S. by legal means. (No one knows how many illegals are living in the U.S., but estimates run as high as 15 million.)

Who are these new arrivals? While the vast majority are Mexicans, a small but sharply growing number come from other countries, including those with large populations hostile to the U.S. From Oct. 1 of last year until Aug. 25, along the southwest border, the border patrol estimates that it apprehended 55,890 people who fall into the category described officially as other than Mexicans, or OTMS. With five weeks remaining in the fiscal year, the number is nearly double the 28,048 apprehended in all of 2002. But that's just how many were caught. TIME estimates, based on longtime government formulas for calculating how many elude capture, that as many as 190,000 illegals from countries other than Mexico have melted into the U.S. population so far this year. The border patrol, which is run by the Department of Homeland Security, refuses to break down OTMS by country. But local law officers, ranchers and others who confront the issue daily tell TIME they have encountered not only a wide variety of Latin Americans (from Guatemala, El Salvador, Brazil, Nicaragua and Venezuela) but also intruders from Afghanistan, Bulgaria, Russia and China as well as Egypt, Iran and Iraq. Law enforcement authorities believe the mass movement of illegals, wherever they are from, offers the perfect cover for terrorists seeking to enter the U.S., especially since tighter controls have been imposed at airports.

Who's to blame for all the intruders? While the growing millions of illegal aliens cross the border on their own two feet, the problem is one of the U.S.'s own making. The

government doesn't want to fix it, and politicians, as usual, are dodging the issue, even though public-opinion polls show that Americans overwhelmingly favor a crackdown on illegal immigration. To be sure, many citizens quietly benefit from the flood of illegals because the supply of cheap labor helps keep down the cost of many goods and services, from chicken parts to lawn care. Many big companies, which have an even clearer stake in cheap labor, aggressively fend off the enforcement of laws that would shut down their supply of illegal workers.

The argument is getting stronger, however, that this is a short-sighted bargain for the U.S. Beyond the terrorism risks, Washington's failure to control the Nation's borders has a painful impact on workers at the bottom of the ladder and, increasingly, those further up the income scale. The system holds down the pay of American workers and rewards the illegals and the businesses that hire them. It breeds anger and resentment among citizens who can't understand why illegal aliens often receive government-funded health care, education benefits and subsidized housing. In border communities, the masses of incoming illegals lay waste to the landscape and create costly burdens for agencies trying to keep public order. Moreover, the system makes a mockery of the U.S. tradition of encouraging legal immigration. Increasingly, there is little incentive to play by the rules.

In the aftermath of 9/11, illegal immigration slowed dramatically for two years. Now it has turned up again. The chronic reason is a Mexican economy unable to provide jobs with a living wage to a growing population. But those who live and work along the border say there is another, more immediate cue for the rush. In a speech on immigration policy last January, George W. Bush proposed "a new temporary-worker program that will match willing foreign workers with willing American employers when no Americans can be found to fill the jobs." The President said his program would give three-year, renewable work visas "to the millions of undocumented men and women now employed in the United States." In Mexico that statement was widely interpreted to mean that once Mexican citizens cross illegally into the U.S., they would be able to stay and eventually gain permanent residence. Even though the legislation shows no signs of getting through Congress this year, a run to the border has begun.

Ranchers, local law officers and others say that is the story they have heard over and over from border crossers. Rancher George Morin, who operates a 12,000-acre spread a few miles from the border, tells *TIME*, "All these people say they are coming for the amnesty program.

[They] have been told if they get 10 miles off the border, they are home free."

The border patrol, by nature an earnest and hard-working corps, is no match for the onslaught. From last October through Aug. 25, it apprehended nearly 1.1 million illegals in all its operations around the U.S. But for every person it picks up, at least three make it into the country safely. The number of agents assigned to the 1,951-mile southern border has grown only somewhat, to more than 9,900 today, up from 8,600 in 2000.

Given that the crisis of illegal immigration bridges the two main issues in the presidential campaign—the economy and national security—one might think that the candidates would pound their podiums with calls for change. But that's not the case so far. Bush has reaffirmed his pledge for an immigration policy that would provide worker's permits for aliens who find jobs, and John Kerry has promised to propose legislation that would lead to permanent residence for

many illegal-alien workers. Neither candidate has called for imposing serious fines on the people who encourage illegal immigration: corporate employers.

On the Mexican side of the border, President Vicente Fox has actively encouraged the migration. He made his goal clear in 2000 when he called for a fully open border within 10 years, with "a free flow of people, workers" moving between the two countries. When U.S. opposition to the proposal intensified after 9/11, Fox sought the same goal through the back door. He pushed U.S. businesses and city and state governments to accept as legal identification a card called a *matricula consular*, issued by Mexican consulates. That has allowed illegals to secure driver's licenses and other forms of identification and open bank accounts. Earlier this year Fox pushed U.S. bankers to make it easier for Mexicans working here—some of them legally but most illegally—to ship U.S. dollars back home.

Because of the exploding illegal population, the money sent back represents the third largest source of revenue in Mexico's economy, trailing only oil and manufacturing. That figure reached a record \$13 billion last year.

The current border-enforcement system has fostered a culture of commuters who come and go with some hardship but little if any risk of punishment. Thousands cross the U.S.-Mexico border multiple times.

Under immigration law, they could be imprisoned after the second offense. But no one is. Nor on the third, fourth or fifth. In fact, almost never. When asked whether Homeland Security would initiate criminal proceedings against a person who, say, is picked up on four occasions coming into the country illegally, a border-patrol representative said if it did, the immigration legal system would collapse. Said the spokeswoman: "Because there's such a large influx of people coming across, if we're to put the threshold at four and send them up [to Tucson, Ariz., or Phoenix, Ariz., for processing], we'd be sending . . . too many people, and it would overwhelm the immigration system."

People who live and work on the Arizona border know all about being overwhelmed.

LIVING IN THE WAR ZONE

When the crowds cross the ranches along and near the border, they discard backpacks, empty Gatorade and water bottles and soiled clothes. They turn the land into a vast latrine, leaving behind revolting mounds of personal refuse and enough discarded plastic bags to stock a Wal-Mart. Night after night, they cut fences intended to hold in cattle and horses. Cows that eat the bags must often be killed because the plastic becomes lodged between the first and second stomachs. The immigrants steal vehicles and saddles. They poison dogs to quiet them. The illegal traffic is so heavy that some ranchers, because of the disruptions and noise, get very little sleep at night.

John Ladd, Jr., a thoughtful, soft-spoken rancher just outside Bisbee, gives new meaning to the word stoic. He is forced to work the equivalent of several weeks a year to repair, as best he can, all the damage done to his property by never-ending swarms of illegal aliens.

"Patience is my forte," he says, "but it's getting lower." The 14,000-acre Ladd ranch, in his mother's family since the 1800s, is right on the border. Ladd and his wife and three sons as well as his father and mother have their homes there. The largely flat, scrub-covered piece of real estate, with its occasional groves of cottonwoods, spiny mesquite and clumps of sacaton grass and desert broom, seems to offer few places to hide. But the land is laced with arroyos in which

scores of people can disappear from view. Ditches provide trails from the border to Highway 92, a distance of about three miles. That is the route that Ladd says 200 to 300 illegals take every night as they enter the U.S. They punch holes in the barbed-wire border fence and then tear up the many fences intended to separate the breeding cattle—Brahmin, Angus and Hereford—that divide the Ladd land.

Ladd doesn't blame the border patrol, most of whose officers, he says, are doing all they can under the circumstances. Indeed, apprehensions of illegals in Arizona have soared from 9% of the nation's total in 1993 to 51% this year. "I have real heartache for the agents who are really working," he says. "They track down the [smugglers], and the judges let them off, and they get a free trip back to Mexico, where they can start all over." The border-patrol agents, Ladd feels, "are responsible guys in a hypocritical bureaucracy."

Border crossing at the Ladd ranch is so flagrant that sometimes the illegals arrive by taxi. A dirt road parallels the border fence and the Ladd property for several miles, in full view of border-patrol electronic lookout posts that ceased functioning long ago. When drivers reach an appropriate location, passengers pile out and run through one of the many holes in the fence and make their way across the ranch.

These gaps present their own special problem. On the other side are Mexican ranches whose cattle wander onto Ladd's. "I'm up to 215 Mexican cows that I've put back into Mexico," he says. "I've got a dual citizen friend—he's Mexican and American—works on this side for Phelps Dodge [Mining Co.], but he's got a ranch over at the San Jose Mountain. So I call him, and then he calls the Mexican cattle inspector. Then that guy meets me at the border and then coordinates the cows getting back to the rightful owners in Mexico." Ladd acknowledges that his do-it-yourself cattle diplomacy is "breaking both countries' laws." How so? "[In] the United States, you're supposed to quarantine any Mexican cattle for 30 days, and they test them for disease and everything else. What the problem is, there isn't enough cattle inspectors to do that, and then they don't have a holding corral anymore to do that."

Why does he spend so much time returning strays? So his counterparts in Mexico will return the favor because some of his cattle amble across the border through the same holes. "The whole reason that I started doing this for the Mexican ranchers was to show'em, 'Yeah, I'm honest. I'm going to give you yours back, so you give me mine.' And it's worked. But the whole story is that I've spent money on long-distance and talked to everybody from the Boundary Commission to USDA to border patrol to customs and everybody else, and I said, 'You need to do something with your international fence.'" He's still waiting.

While the Department of Homeland Security seemingly lacks the money to secure the border, it does have money to spend in quixotic ways.

In a \$13 million experimental program started in July, the border patrol will not just drop illegal Mexican aliens at the border but actually fly them, at taxpayer expense, into the heart of Mexico. The theory is that it will discourage them from making the trek north again. But as one illegal, a Dallas construction worker who was among the 138 aboard the first flight, told a Los Angeles Times reporter, "I will be going back in 15 days. I need to work. The jobs in Mexico don't pay anything."

The plight of Jim Dickson, a hospital administrator in Bisbee, is summed up with one image. It's an ambulance that pulls into

tiny Copper Queen Community Hospital and discharges illegal aliens injured in an auto accident. The border-patrol officers—on orders from Washington—have refused to take them onto the hospital property after taking them into custody. Instead, the officers have called an ambulance for the injured. If the officers were to arrive at the hospital to make their drop-off, then the border patrol (make that the U.S. government) would be responsible for paying the medical bill. And that's something the Federal Government (make that Congress) will not do. Instead, the government stiffes Dickson, 56, the genial CEO of the Copper Queen, a hospital that dates back to the turn of the previous century, when Bisbee was the largest town between San Diego and St. Louis, MO.

Dickson and his community hospital symbolize much of what has gone wrong with the immigration policies of the U.S. and Mexico—"the irresponsibility," as Dickson puts it politely, of both governments.

He figures he has another three years, maybe a little longer, before he might be forced to shut down the hospital. "We used to have 250 emergency-room visits a month. Now it's 500," says Dickson. They range from a lone man or woman rescued in the desert, suffering from dehydration or a heart attack, to multiple victims injured when vans jammed with 20 or more illegals crash during high-speed chases. Along the way the hospital is seeing more and more tuberculosis, aids and hepatitis. "We don't have to do disaster drills like other hospitals," Dickson says. "We have enough real disasters every year."

Unlike big governments, small community hospitals cannot run deficits forever. The Copper Queen's shortfall from treating illegal aliens grows each year. This year it will be about \$450,000, bringing the total for the past few years to \$1.4 million. With each money-losing year, a tiny piece of the 14-bed hospital dies. When that happens, the entire community suffers. Dickson's most agonizing decision came when he was forced to shutter the long-term-care unit. "It was the only place the elderly could go," he says. "If someone had dementia, we had a room for them." But no more. Now if people who spent their life in Bisbee need elder care, they must leave the area. "The more free care we give," Dickson says, "the more we have to ration what's left."

Dickson emphasizes that not all the free care is going to illegal aliens passing through on their way to other states. About half goes to Mexicans who use the Copper Queen as their personal emergency-care facility. In effect, the hospital, which performs general surgery, has become the trauma center for that stretch of northern Mexico. If an ambulance pulls up to the border-crossing point near Bisbee and announces "compassionate entry," the border patrol waves it through, and the Copper Queen is compelled to treat the patient. It is one more program that Congress mandates but does not pay for. "If you make me treat someone," says Dickson, "then you need to pay me. You can't have unfunded mandates in a small hospital." Although the Medicare drug act that passed last year provides for modest payments to hospitals that treat illegal aliens, Dickson says there is a catch that the U.S. government has yet to figure out. "How do I document an undocumented alien? How am I going to prove I rendered that care?"

They have no Social Security number, no driver's license."

The limits of compassion are also being tested on the Tohono O'odham Nation. About twice the size of Delaware, the tribe's reservation shares 65 miles of border with Mexico. Like the residents of the small Arizona towns just to the east, the Native Ameri-

cans, many of whom live without running water and electricity, are overwhelmed. The Nation's hospital is often packed with migrants who become dehydrated while crossing the scorching desert, where summertime temperatures reach upwards of 110 (degree). The undermanned tribal police force helps the border patrol round up as many as 1,500 illegals a day. "If this were happening in any other city or part of the country," says Vivian Juan Saunders, Tohono O'odham chairwoman, "it would be considered a crisis."

Yet the highest levels of the U.S. and Mexican governments have orchestrated this situation as a kind of dance: Mexico sends its poor north to take jobs illegally, and the U.S. arrests enough of the border crossers to create the illusion that it is enforcing the immigration laws while allowing the great majority to get through.

Local lawmen like Jim Elkins and Larry Dever have learned the dance firsthand, and their towns and counties have to pay for it.

Elkins has been the police chief in Bisbee for 12 years, on the force for 30. Dever has been the sheriff of Cochise County—which includes Bisbee and encompasses an area almost the size of Connecticut and Rhode Island, with 84 miles along the Mexican border—for eight years and a deputy before that for 20 years. The two lawmen handle the same kinds of citizen demands made on local law-enforcement agencies everywhere—from murder to drugs to reports of abandoned cats. But never have they seen the likes of today's work, in which their time is monopolized by relentless reports of alien groups making their way through the area. The entries from Bisbee police logs speak for themselves, these a sampling from Friday, May 7: 9:05 a.m.: "[Caller] advised udas [undocumented aliens] on foot, west [of] high school on dirt road. At least 10 in area. U.S. border patrol advised of same. 38 udas turned over to U.S. border patrol."

4:31 p.m.: "[Officer] located three udas walking on Arizona and Congdon. All three turned over to usbp [U.S. border patrol] Naco."

4:32 p.m.: "[Officer] copied a report of a silver-in-color van loaded with approximately 30 udas left Warren. Later copied vehicle went disabled at mile post 345 on Highway 80. Thirty to 35 udas were located with vehicle. Udas turned over to U.S. border patrol."

7:52 p.m.: "[Officer] located a group of udas in the area [of Blackknob and Minder streets]. Fifteen udas turned over to BP." 10:02 p.m.: "Reported a group of udas gathering on the bridge on Blackknob at Minder. Officers located six udas. tot [turned over to] usbp."

On and on it goes. "Every day we deal with this," says Elkins.

"People don't feel safe. The smugglers are dangerous people . . . I find it hard to believe we can get 80 to 100 people in our neighborhoods. They come across in droves." Transporting them requires fleets of stolen cars, which explains why Arizona ranks No. 1 in cars stolen per capita, with 56,000 ripped off last year. "This is a lot of work for us. We're a small department," says Elkins, who has 15 officers. "So much of our time is spent on federal issues. We should be getting money for this [from the Federal Government]. But we don't."

The kinds of crime found in most communities are interwoven with the illegal-alien traffic on the border. "Our methamphetamine problem is alarming," Elkins tells TIME. "The last three homicides here were related to meth. Kids doing meth will take a load of udas to Tucson or Phoenix for a couple of hundred dollars."

Sheriff Dever says more than a quarter of his budget "is spent on illegal immigration activities," and he points to the ripple effect

through the criminal justice system: "The illegal aliens can't make bond, so they spend more time in jail. They're indigent, so they get a public defender. If they have health problems, they have to be treated."

Dever feels overrun and doesn't mind who knows it. He relates a story about a recent visit by a television crew that arrived in his office and asked whether he was aware that a group of presumably illegal aliens was camped out in a drainage ditch next to the sheriff's headquarters. Sensing a story, the crew wondered if he was embarrassed by the aliens' presence. A plainspoken man, Dever said he was not the least bit embarrassed. Their presence, he said, illustrated quite pointedly just how pervasive the problem was.

The people who probably should be a little embarrassed are the folks up the road at Fort Huachuca, Ariz., home of the U.S. Army's top-secret Intelligence Center. The facility, which trains and equips military intelligence professionals assigned around the world, also happens to be a thoroughfare for illegal aliens and drug smugglers, with mountains on the base providing a safe haven.

Using some of the same routes as the people smugglers, the drug runners are well armed, equipped with high-tech surveillance equipment and don't hesitate to use their weapons. That's what happened earlier this year, when law-enforcement officers and Mexican drug runners engaged in a fire fight at the border in front of a detachment of Marines just back from Iraq, who were installing a steel fence to prevent illegal aliens from driving through the flimsy barbed wire. The Marines, unarmed, watched placidly. None were injured.

The situation across southern Arizona has spun so far out of control that many on the border believe a day of reckoning is fast approaching, when an incident—an accidental shooting, multiple auto fatalities, a confrontation between drug and people smugglers—will touch off a higher level of violence. And the nightmare scenario: some resident frustrated by the Federal Government's refusal to halt the onslaught will begin shooting the border crossers on his or her property. As a rancher summed up the situation: "If the law can't protect you, what do you do?" Everyone, it seems, is armed, including nurses at the local hospital, who carry sidearms on their way to work out of fear for their safety.

HOW CORPORATE AMERICA THRIVES ON ILLEGALS

Popular belief has it that illegals are crossing the border in search of work. In fact, many have their jobs lined up before they leave Mexico. That's because corporate managers go so far as to place orders with smugglers for a specific number of able bodies to be delivered. For corporate America, employing illegal aliens at wages so low few citizens could afford to take the jobs is great for profits and stockholders. That's why the payrolls of so many businesses—meat packers, poultry processors, landscape firms, construction companies, office-cleaning firms and corner convenience stores, among others—are jammed with illegals. And companies are rarely, if ever, punished for it.

A single statistic attests to this. In 2002 the former Immigration and Naturalization Service (INS) issued orders levying fines on only 13 employers for hiring illegal aliens, a minuscule portion of the thousands of offenders. Nonenforcement of employer sanctions, which is in keeping with the Federal Government's nonenforcement of immigration laws across the board, has been the equivalent of hanging out a help wanted sign for illegals. Says Steven Camarota, research

director for the Center for Immigration Studies, a nonpartisan think tank on immigration issues: "They're telling people, 'If you can run that border, we have a job for you. You can get a driver's license.'

You can get a job. You'll be able to send money home.' And in that context, you'd be stupid not to try. We say, 'If you run the gauntlet, you're in.' That's the incentive they've created."

For nearly 20 years, it has been a crime to hire illegal aliens. Amid an earlier surge in illegal immigration, Congress passed the Immigration Reform and Control Act of 1986, which provided that employers could be fined up to \$10,000 for every illegal alien they hired, and repeat offenders could be sent to jail. The act was a response to the widespread belief that employer sanctions were the only way to stem the tide. "We need employer sanctions to reduce the attraction of jobs in the U.S.," an INS spokesman declared as Congress debated the bill. When President Ronald Reagan signed it, he called the sanctions the "keystone" of the law. "It will remove the incentive for illegal immigration by eliminating the job opportunities which draw illegal aliens here," he said. Making it a crime for a company to hire an illegal was seen as such a dramatic step at the time that many worried over the consequences. Phil Gramm, then a Republican Senator from Texas, said the legislation "holds out great peril, peril that employers dealing in good faith could be subject to criminal penalties and in fact go to jail for making a mistake in hiring an illegal alien."

But companies had little to fear. Neither Reagan nor subsequent Presidents or Congresses were eager to enforce the law. The fate of just one provision in the 1986 act is revealing. As part of the enforcement effort, the law called for a pilot program to establish a telephone verification system that employers could use when hiring workers. It would allow employers to tap into a national data bank to determine the legal status of a job applicant. Only those who had legitimate documentation would be approved. With such a system, employers could no longer use the excuse that they had no way to verify a potential worker's legal status.

To this day—18 years after passage of the immigration-reform bill—a nationwide telephone-verification system has yet to be implemented. A small-scale verification project was established in 1992, but it covered only nine employers in five states. In 1996, Congress enacted yet another immigration-reform bill, and it too provided for a telephone verification program. Called Basic Pilot, it promised to provide employers with an easy way to verify a prospective employee's status. An employer who signed up for the system could call an 800 number and provide the name, Social Security number or the alien ID number of a new hire. The employer would receive either a confirmation that the number and name were valid or an indication that called for further checking.

The system is fatally flawed. Basic Pilot is voluntary. Employers aren't required to sign up. Imagine what compliance with tax laws would be if filing a 1040 were optional.

For all the rhetoric about the perils of illegal immigration, Congress shows no interest in cracking down on employers. When the INS attempted in the past to enforce the law, lawmakers slapped down the agency. In 1998 the INS launched Operation Vanguard, a bold attempt to catch illegals in Nebraska's meat-packing industry. Rather than raid individual plants to round up undocumented workers, as it had done for years, the INS aimed Operation Vanguard at the heart of illicit hiring practices. The agency subpoenaed the employment records of packing houses, then sought to match employee num-

bers with other data like Social Security numbers.

The INS subpoenaed some 24,000 hiring records and identified 4,700 people with discrepancies at 40 processing plants. It then called for further documentation to verify the workers' status. Nebraska was seen as just the first step. Plans were in the works to launch similar probes in other states where large numbers of illegals were known to be employed in the meat-packing industry. But the INS never got the chance. A huge outcry in Nebraska from meat-packers, Hispanic groups, farmers, community organizations, local politicians and the state's congressional delegation forced the INS to back off.

Not surprisingly, the INS's employer-sanctions program has all but disappeared. Investigations targeting employers of illegal aliens dropped more than 70%, from 7,053 in 1992 to 2,061 in 2002. Arrests on job sites declined from 8,027 in 1992 to 451 in 2002. Perhaps the most dramatic decline: the final orders levying fines for immigration-law violations plunged 99%, from 1,063 in 1992 to 13 in 2002.

As might be expected, employers got the message, albeit one quite different from that spelled out in the 1986 and '96 legislation. Now many corporate managers feel emboldened to place orders for workers while the prospective employees are still in Mexico, then assist them in obtaining phony documentation and transport them hundreds, sometimes thousands of miles from the interior of Mexico to a production line in an American factory.

This notion was supported by evidence introduced during an alien smuggling trial in 2003 involving Tyson Foods Inc., which describes itself as "the world's largest processor and marketer of chicken, beef and pork." In this secretly recorded conversation, a federal undercover agent posed as an alien smuggler who was taking an order from the manager of a chicken-processing plant in Monroe, N.C.:

FEDERAL AGENT: [After explaining that he was a friend of a mutual friend] He said you wanted to talk to me?

CHICKEN-PLANT MANAGER: Yeah, about help . . . Now I'm going to need quite a few . . . Starting on the 29th, a Monday, we are going to start. How many can I get, and how often can you do it?

FEDERAL AGENT: Well, it's not a problem. I think [the mutual friend] told me that you wanted 10?

CHICKEN-PLANT MANAGER: Well, 10 at a time. But over the period of the next three or four months—January, February, March, April, probably May, stuff like that—I'm going to replace somewhere between 300 and 400 people, maybe 500. I'm going to need a lot.

FEDERAL AGENT: . . . I can give you what you need.

CHICKEN-PLANT MANAGER: Now let me ask you this. Do these people have a photo ID and a Social Security card?

FEDERAL AGENT: No . . . these people come from Mexico. I pick them up at Del Rio. That's in Texas, after they cross the river, and then we take them over there, and they get their cards. [The mutual friend] gets them their cards, I guess.

CHICKEN-PLANT MANAGER: I need to talk to him about that.

FEDERAL AGENT: About the cards?

CHICKEN-PLANT MANAGER: Yes, some of them that's got the INS card, and if they put it in a computer . . . if it's not any good . . . Something happens, and we have to lay them off. But if they just have got a regular photo ID from anywhere and a Social Security card, then we don't have to do that.

Securing phony paperwork was part of the scheme, and corporate plant managers often

knew in detail how the illegals got their papers. This was apparent in the following exchange between the undercover federal agent arranging for illegals and the manager of a Tyson facility in Glen Allen, Va. The manager is talking about a go-between named Amador who had delivered workers in the past.

TYSON MANAGER: When I went to Tyson and I met Amador, we had very few Spanish-speaking people. With Amador's help, in a couple of years, we went from very few to 80%.

FEDERAL AGENT: My job . . . is to get the people in Mexico to come to the border. When they cross the river, I pick them up, and then I take them to Amador. And he says he can get them, you know, their cards—their IDs and their Social Security cards, and they can go to work that way.

TYSON MANAGER: Excellent. That's what we're needing.

Two Tyson managers later pleaded guilty to conspiring to hire illegal aliens. Three other managers were acquitted of the charges, as was the Tyson Corp. itself. The company insisted that it did not know that illegals were being hired at some of its plants. A company spokesman said the charges were "absolutely false. In reality, the specific charges are limited to a few managers who were acting outside of company policy at five of our 57 poultry-processing plants."

One of the arguments that is regularly advanced to justify hiring illegal workers is that they are merely doing jobs American workers won't take. President Bush echoed the theme earlier this year when he proposed the immigration-law changes that would allow millions of illegals to live and work in the U.S.: "I put forth what I think is a very reasonable proposal, and a humane proposal, one that is not amnesty, but, in fact, recognizes that there are good, honorable, hard-working people here doing jobs Americans won't do."

While there is no doubt that many illegal aliens work long hours at dirty, dangerous jobs, evidence suggests that it is low wage rates, not the type of job, that American workers reject. That also surfaced in the Tyson case. The two Tyson managers who pleaded guilty contended that they had been forced to hire illegals because Tyson refused to pay wages that would let them attract American workers.

One of those two managers was Truley Ponder, who worked at Tyson's processing plant in Shelbyville, Tenn. In documents filed as part of Ponder's guilty plea, the U.S. Attorney's office noted, "Ponder would have preferred for the plant to hire 'local people,' but this was not feasible in light of the low wages that Tyson paid, the low unemployment rate in the area from which the plant drew its work force, and the general undesirability of poultry processing work when there were numerous other employment opportunities for unskilled and low skilled employees."

"Ponder made numerous requests for pay increases in Shelbyville above and beyond what the company routinely allowed, but Tyson's corporate management in Springdale rejected his requests for wage increases for production workers. This refusal to pay wages sufficient to enable Tyson to compete for legal laborers, plus the limited work force in the local area, dictated Ponder's need to bring workers in to meet Tyson's production demands." Needless to say, hiring illegals had benefits for Tyson. A government consultant estimated that the company saved millions of dollars in wages, benefits and other costs.

When asked whether the company has any illegals on its payroll today, a Tyson spokesman said, "We have a zero tolerance for the

hiring of individuals who are not authorized to work in the U.S. Unfortunately, the reality for businesses across the country is that it is becoming increasingly difficult to determine just who has proper authorization. The tangle of laws and the increasing sophistication of those providing false documentation puts employers in a very tough position . . . Given the scope of undocumented immigration to the U.S., we and countless other American businesses face a very difficult task in trying to figure out who is eligible to work."

The impact of the below-market wage earners tends to fall hardest on unskilled workers at the bottom of the wage pyramid. "Any sizable increase in the number of immigrants will inevitably lower wages for some American workers," says George Borjas, a professor at the Kennedy School of Government at Harvard. Borjas calculates that all immigration, by increasing the labor supply from 1980 to 2000, "reduced the average annual earnings of native-born men by an estimated \$1,700, or roughly 4%." Borjas says African Americans and native-born Hispanics pay the steepest price because they are more often in direct competition with immigrants for jobs.

WHY ALIEN CRIMINALS ARE AT LARGE IN THE U.S.

Perhaps the most alarming aspect of having 15 million illegals at large in society is Congress's failure to insist that federal agencies separate those who pose a threat from those who don't. The open borders, for example, allow illegals to come into the country, commit crimes and return home with little fear of arrest or punishment.

From Oct. 1, 2003, until July 20, 2004, the border patrol's Tucson sector stopped 9,051 persons crossing into the country illegally who had criminal records in the U.S., meaning they committed crimes here, returned to Mexico, then were trying to re-enter the country. Among them: 378 with active warrants for their arrest. In one week, said border patrol spokeswoman Andrea Zortman, there were two with outstanding "warrants for homicide."

And those were just the illegals the border patrol determined had arrest records. Most go undetected. Reason: the border patrol's electronic fingerprint-identification system, which allows officers to determine how many times an alien has been caught sneaking into the U.S., has only a limited amount of criminal-background data. The FBI maintains a separate electronic fingerprint-identification system that covers everyone ever charged with a crime. In true bureaucratic fashion, the two computer systems do not talk to each other. In the 1990s, the two agencies were directed to integrate their systems.

They are still working at it. The most optimistic completion date is 2008. Until then, illegals picked up at the border may have any number of criminal charges pending, but the arresting officers will never know and will allow the intruders to return home.

In any event, the numbers suggest that tens of thousands of criminals, quite possibly hundreds of thousands, treat the southern border as a revolving door to crimes of opportunity. The situation is so out of control that of the 400,000 illegal aliens who have been ordered to be deported, 80,000 have criminal records—and the agency in charge, the Homeland Security Department, does not have a clue as to the whereabouts of any of them, criminal or noncriminal, including those from countries that support terrorism.

What's more, those figures are growing. Every day, prisons across the U.S. release alien convicts who have completed their court-ordered sentences. In many cases, the INS has filed detainees, meaning the prisons

are obliged to hold the individuals until they can be picked up by immigration agents and returned to their native countries. But state law enforcement authorities are not permitted to keep prisoners beyond their original sentence. When Homeland Security agents fail to show up promptly, which is often, the alien convicts are released back into the community. In addition to all these, at least 4 million people who arrived in the U.S. legally on work, tourist or education visas have decided to ignore immigration laws and stay permanently.

Again, Homeland Security does not have the slightest idea where these visa scofflaws are.

The government's record in dealing with the 400,000 people it has ordered to be deported is dismal. A sampling of cases last year by the Justice Department's Office of Inspector General (oig) found that of illegal aliens from countries supporting terrorism who had been ordered to be deported, only 6% of those not already in custody were actually removed. Of 114 Iranians with final orders for removal, just 11 could be found and were deported. Of 67 Sudanese with final-removal orders, only one was deported. And of 46 Iraqis with final-removal orders, only four were sent packing. All the rest, presumably, were living with impunity somewhere in the U.S. Those statistics tell only part of the story. Most people charged with an immigration-law violation do not even bother to show up for a court hearing. Imagine for a moment a majority of people charged with a crime in state or federal courts flouting the indictment or charge and refusing to appear in court. They would be swiftly arrested.

But immigration law marches to a different drummer. Most illegals, including those with arrest records, are not jailed while awaiting a hearing. That's because Congress has failed to appropriate enough money to build sufficient holding facilities. Rather, the immigrants are released on their promise to return. They don't. And the odds are they won't be found. The oig investigation revealed that of 204 aliens ordered to be removed in absentia, only 14 were eventually located and shipped out.

The situation is even worse when it comes to those aliens whose requests for asylum are rejected and who are ordered to be deported.

The oig study found that only 3% of those seeking asylum who were ordered removed were ultimately located and deported. That pattern, like failed immigration-law enforcement across the board, bodes well for potential terrorists. In the 1990s, half a dozen aliens applied for asylum before committing terrorist acts. Among them: Ahmad Ajaj and Ramzi Yousef, who entered the country in 1991 and 1992, respectively, seeking asylum. According to the oig, Ajaj left the U.S. and returned in 1992 with a phony passport. He was convicted of passport fraud. Yousef completed the required paperwork and was given a date for his asylum hearing. In the meantime, in 1993, the two men helped commit the first World Trade Center attack, for which they were convicted and imprisoned. At the time, Yousef's application for asylum was still pending.

So what does the failed immigration system mean for ordinary people?

Just ask Sister Helen Lynn Chaska. Actually, you can't. You will have to ask her family and friends.

It's the waning days of summer in 2002 in Klamath Falls, Ore., a city of about 19,000 on the eastern edge of the Cascade Mountains. Two nuns who belonged to the Order of the Immaculate Heart of Mary in Bellevue, Wash., had made one of their periodic trips to Klamath Falls to carry out missionary work. As they had in the past, Sister Helena

Maria (her church name), 53, and Sister Mary Louise, 52, checked into a Best Western motel. On Saturday, Aug. 31, they spent the evening proselytizing and selling religious items outside an Albertsons supermarket.

After returning to the motel, the two set out on their ritual prayer walk shortly after midnight. They were dressed in the blue habits they always wore as they walked on a darkened bike path behind the motel, reciting their rosaries. As they reached the midway point in their prayers and turned back toward the motel, they heard a bicycle coming up behind them. A Hispanic male in his 30s or 40s got off, grabbed both women and began kissing them. The more they resisted, the angrier he became. He finally punched Sister Mary Louise in the right eye so hard that she fell and hit her head on a rock, leaving her dazed. While holding Sister Helena Maria so tightly by the rosary knotted around her neck that she gasped for breath, he raped her first and then raped and sodomized Sister Mary Louise and raped Sister Helena Maria a second time. The man pulled the veil over Sister Mary Louise, told her not to move or he would kill her, climbed back on his MTB Super Crown bike and pedaled off. Sister Helena Maria was dead. The rosary had been wound so tightly, its marks were embedded in her neck.

Later that day, police tracked a suspect to another motel, where they began questioning him. He gave his name as Jesus Franco Flores, which turned out to be one of many names he used. In the end, he confessed to beating and raping both nuns. He was not supposed to be in the U.S.; he had been deported at least three times. By his account, his unlawful entries into the U.S. began in 1986 at the age of 17. Under the name Victor Manuel Batres-Martinez, which may have been his legal name, he found his way to Oregon, where he was arrested for unauthorized use of a motor vehicle. His sentence to a juvenile facility was suspended, with the understanding that the INS would deport him. The agency did so and in May 1987 granted him a voluntary return to Mexico, with a notation on government records that "subject has many good productive years ahead of him."

Assuming he went as the INS promised, he didn't stay long. In September that year, he was arrested and convicted of theft and shoplifting in Wenatchee, Wash., under the name Manuel Martinez. Two months later, he was convicted of felony sales of marijuana and hashish in Los Angeles and sent to jail for 60 days. In March 1988 he was arrested in Los Angeles, once for robbery, once for possession of a controlled substance. Another possession arrest followed in April.

In August he was arrested in Los Angeles for robbery. In December he was sent to prison in California for second-degree robbery and kidnapping. While there, he was treated for what was deemed to be "a significant psychiatric disorder."

In January 1992, after his release, the INS sent him back to Mexico by way of Nogales, Ariz. Six months later, he was back again, spotted by border-patrol officers as he attempted to come back into the U.S. near El Paso, Texas. When agents tried to stop him, he ran into rush-hour traffic on Interstate 10, "narrowly avoiding collision with several cars," according to immigration records. He subsequently was arrested, that time under the name Mateo Jimenez, and ordered to be returned to Mexico. It didn't stick. In November he was arrested by Portland, Ore., police for possession and delivery of a controlled substance. He never showed up for court appearances.

On two occasions in January 2002, border-patrol agents again apprehended him as he tried to re-enter the U.S. Both times they returned him to Mexico. If the border patrol's

electronic fingerprint identification system had been in synch with the FBI's, the agents would have discovered Batres-Martinez's extensive criminal record. Given his prior deportations, Batres-Martinez could have been charged with re-entry after deportation, a felony that carries a substantial prison sentence. In any event, Batres-Martinez told police in Klamath Falls that he entered the U.S. on Aug. 11, 2002, that time coming through New Mexico. He said he hopped a freight train for San Bernardino, Calif., and looked for work, without success, from Los Angeles to Stockton. When he heard that he might have better luck in Portland, he hopped another train but got mixed up in a freight yard and ended up in Klamath Falls.

To avoid the death penalty, Batres-Martinez pleaded guilty to the murder of Sister Helena Maria, attempted aggravated murder of Sister Mary Louise and rape of both nuns. He was sentenced to life in prison without the possibility of parole.

As for U.S. immigration authorities, they were characteristically ineffectual. On Sept. 5, four days after the murder, the INS faxed an immigration detainer to the Klamath County jail, concerning Maximiliano Silerio Esparza, also known as Victor Batres-Martinez: "You are advised that the action below has been taken by the Immigration and Naturalization Service concerning the above-named inmate of your institution: Investigation has been initiated to determine whether this person is subject to removal from the United States."

Both political parties and their candidates pay lip service to controlling the borders. But neither President Bush nor Senator Kerry supports a system that would end the incentives for border crossers by cracking down on the employers of illegals. T.J. Bonner, president of the National Border Patrol Council, a labor organization that represents 10,000 border-patrol employees, believes the solution is obvious. The U.S. government, he says, should "issue a single document that's counterfeit proof, that has an embedded photograph, that says this person has a right to work in the U.S. And that document is the Social Security card. It's not a national ID card."

It's a card that you have to carry when you apply for a job and only then. The employers run it through a scanner, and they get an answer in short order that says, Yes, you may hire, or No, you may not. That would cut off 98% of all the traffic across the border. With your work force of 10,000 border-patrol agents, you actually could control the borders."

But Bonner doesn't see that happening anytime soon because of pressure from corporate America. And all the available legislative evidence of the past quarter-century supports that view. "All the politicians—it doesn't matter which side of the aisle you're on—rely heavily on the donations from Big Business," he says, "and Big Business likes this system [of cheap illegal labor]."

Unfortunately, in the post-9/11 world, this system puts us in jeopardy."

In the 9/11 commission's final report, now on the best-seller lists, the panel of investigators took note of the immigration breakdown in general, saying that "two systemic weaknesses came together in our border system's inability to contribute to an effective defense against the 9/11 attacks: a lack of well-developed counterterrorism measures as a part of border security and an immigration system not able to deliver on its basic commitments, much less support counterterrorism. These weaknesses have been reduced but are far from being overcome."

Folks on the border who must deal daily with the throngs of illegals are not optimistic that the Federal Government will change its ways.

As Cochise County Sheriff Dever dryly observes, "People in Washington get up in the morning, their laundry is done, their floors are cleaned, their meals are cooked. Guess who's doing that?"

THE BUSH MEDICARE BILL'S DIRTY LAUNDRY

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, America's newspapers are widely read, except on Saturdays. So it is not much of a surprise that the Bush administration waited until late on a Friday afternoon leading into Labor Day weekend to announce that they were raising Medicare premiums by a record 17.4 percent. That is the sort of news, however, you just cannot suppress, so the news that Saturday was all about the Bush administration's plans to impose the biggest premium increase in Medicare's 38-year history. But the White House public relations office is nothing, if not tenacious. So faced with the bad news and faced with the blame for that increase that would naturally affix to the Bush administration, they did what they always do, they tried to shift the blame. Even though the Republicans have controlled the House and the Senate and the White House for the last 3½ years, it is actually the Democrats, they said, who are responsible for the premium increase. But no one bought it then and no one buys it now. The facts are the facts and no amount of spin, no amount of revisionist history, can change the facts.

Before the Bush Medicare bill became law, the nonpartisan Medicare trustees estimated the monthly Medicare premium increase for 2005 would be \$2. After the Bush Medicare bill became law, the premium increase instead jumped \$11.60. That is the 17.4 percent record increase. The facts are that the premium increase after the Bush Medicare law, which was written by the drug and insurance companies, is five times larger than the premium increase estimated before Congress passed the Medicare law.

So where is all that money going? Where are the billions of dollars out of seniors' pockets, that huge increase, where are those dollars going? The Bush administration is quick to remind us that some of it goes to new preventive health care benefits. That is true. But what they are less eager to say is that a whole lot of it is going directly from seniors' pockets into the pockets of the biggest HMO insurance companies in the country.

The Bush Medicare law creates a \$23.5 billion slush fund that HMOs can use to lure seniors out of Medicare and out of Medicare's reliable, equitable core program into the HMO private insurance. This windfall is in addition, this insurance company payoff, to the payments HMOs receive in exchange

for covering enrollees. It is a bonus largely paid for because of major political contributions the insurance and the drug industries have made to the Bush administration. Seniors who already spend more than 20 percent of their incomes on out-of-pocket health care costs are receiving a giant increase in their Medicare premiums, and HMOs are receiving a giant boost to their bottom line. HMO profits already, before the Bush administration did this, jumped 50 percent last year. They hardly need more money from America's overstretched seniors.

Social Security benefits for seniors will increase by 2 percent next year. So the Social Security increase and the checks that seniors get will go up 2 percent. The Medicare premiums will go up 17 percent. I will say it again. The Bush administration is draining billions from the Medicare trust fund into the pockets of the big insurance companies. At the same time, the Bush administration is emptying the pockets of America's seniors, again to the tune of billions of dollars.

It is no secret that President Bush and his privatization of Medicare plans wants to take the responsibility for retiree health care away from Medicare and give it to HMOs. But to actually make seniors pay more so the President can pave over their Medicare program, every senior should be enraged, every American taxpayer should be outraged and none of us should put up with it.

The bottom line is the Medicare legislation which the President pushed through this Congress and signed was written by the drug industry and the insurance industry. Medicare premiums went up 17 percent announced by the administration earlier this month and the drug companies and the insurance companies have given President Bush and the Republican leadership tens of millions of dollars in political contributions this year. In the end, it is really as simple as that.

STENHOLM DEBT LIMIT AMENDMENT TO TREASURY TRANSPORTATION APPROPRIATIONS BILL

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Texas (Mr. STENHOLM) is recognized during morning hour debates for 5 minutes.

Mr. STENHOLM. Mr. Speaker, 3½ years ago, there was a lot of talk around here about budget surpluses. Some folks actually claimed there was a danger that the government would pay off our debt held by the public too quickly. Today, projections of large budget surpluses have been replaced with projections of deficits as far as the eye can see, and the administration is asking Congress to approve another increase in the debt limit, the credit card limit, if you please, for the United States of America.

Last year, the Republican leadership slipped through a \$984 billion increase